

### **REMARKS**

Claims 1-16, 18-19, and 33-34 are pending, with claims 1 and 33 being independent. Claims 17, 20-32 have been cancelled. Claims 1-2, 4-5, 8-9, 14-15, 18-19, and 33 have been amended. Claim 34 has been added. Support for the amendments and the new claim may be found, for example, on page 23, line 15 - page 24, line 19; page 25, lines 8-27, and Figs. 9 and 10. No new subject matter has been added.

### **Drawing Objections**

An objection was made to the drawings under 37 C.F.R. § 1.83(a) for not showing certain features recited in claims 1, 20, and 25. *See* Office Action, pages 2-3.

Applicant has amended claim 1 and cancelled claims 20 and 25. Consequently, the features that yielded the Office Action objection no longer appear in the language of the amended claims. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to drawings.

### **Specification Objections**

An objection was made to the specification has been objected to under 37 C.F.R. § 1.75(d)(1) for not providing support for features recited in claims 1, 20, 25, and 32. *See* Office Action, pages 3-5.

Applicant has amended claim 1 and cancelled claims 20, 25, and 32. Consequently, the objected features no longer appear in the language of the amended claims. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the specification as moot.

### **35 U.S.C. § 112 Rejections, 1<sup>st</sup> paragraph**

Claims 1-16 and 18-33 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant has amended claims 1 and 33 and cancelled claims 20 and 32.

The 35 U.S.C. § 112 rejection pointed out certain features in these claims that no longer appear in the language of the amended claims. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 112, first paragraph, rejection of claims 1-16 and 18-33 as moot.

**35 U.S.C. § 112 Rejections, 2nd paragraph**

Claim 32 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has cancelled claim 32, rendering their rejections moot. Accordingly, because claim 32 is no longer pending examination, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 112, second paragraph, rejection of claim 32.

**35 U.S.C. § 101 Rejections**

Claims 20-32 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has cancelled claims 20-32, rendering their rejections moot. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 101 rejection of claims 20-32.

**35 U.S.C. § 103(a) Rejections**

Claims 1-16 and 18-33 stand rejected under 35 U.S.C. § 103(a) over Hirota (6,606,707) in view of Ginter (5,892,900). Claims 1 and 33 have been amended, at least in part, to overcome the rejection.

As amended, claim 1 recites, among other features, “configuring the media player to access a medium rule base stored with the medium, a media player rule base stored on the media player, and a host rule base stored on the host, wherein the medium rule base includes a set of access rules related to content permissions associated with the medium, the media player rule base includes a set of access rules related to content permissions associated with the media player, and the host rule base includes a set of access rules related to content permissions associated with the host.” In addition, claim 1 recites “identifying priorities for rule bases at the media player, wherein priorities determine the order in which rule bases are accessed” and

“accessing rule bases to analyze the content request in the order of the identified priorities.”

Neither Hirota nor Ginter teach or suggest the above features.

**a) Hirota and Ginter fail to teach or suggest medium, media player, and host rule bases**

Hirota fails to teach (1) a medium rule base that is stored with the medium and includes a set of access rules related to content permissions associated with the medium, (2) the media player rule base that is stored on the media player and includes a set of access rules related to content permissions associated with the media player, and (3) the host rule base that is stored on the host and includes a set of access rules related to content permissions associated with the host.

The Office Action points to Col. 16:63-Col.17:10, Col.15:10-15; 55-6, and Col. 15:15-20 as showing a medium rule base, a media player rule base, and a host rule base, respectively. *See* Office Action, page 16. These sections discuss using various cryptographic keys or IDs, such as master key 323a, encryption key 425, and medium ID 341, to decrypt content stored on the memory card.<sup>1</sup> *See* Col. 16:63- Col.17:10; Col.15:10-15; 55-6, and Col. 15:15-20 and Fig. 9.

The Office Action acknowledges that keys, by themselves, are not rule bases. *See* Office Action, page 16. Applicant agrees. The keys/IDs of Hirota are not rule bases or even rules; rather they represent various cryptographic elements that, when they are combined together, unlock data stored on the media card. *See*, Col. 15:8-32.

Moreover, the keys of Hirota do not include access rules related to the location at which they are stored, and hence, fail to meet another limitation associated with the rule bases of claim 1. In Hirota, the cryptographic keys are used to decrypt a user's password, which in turn is used by the system to decrypt the data from the media card. *See e.g.*, Col. 11:51-64; 15:8-32. Thus, at least master key 323a and encryption key 425 are not in any way related to their storage location nor do they include a set of access rules related to content permission associated with their storage location. For example, the master key 323a can be stored anywhere: either on the PC, or

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<sup>1</sup> The Office Action does not explain which of the master key 323a, encryption key 425, and medium ID 341 corresponds exactly to the medium rule base, the media player rule base, and the host rule base recited in claim 1.

the media card, or the media player itself. *See* Col. 15:56-61. The encryption key 425 is also not tied to any specific location. *See* Col. 15:45-61.

In contrast, the amended claim 1 describes rule bases that include sets of access rules related to content permission associated with the location at which they are stored:

(1) a medium rule base that is stored with the medium and that includes a set of access rules related to content permissions associated with the medium,

(2) the media player rule base that is stored on the media player and that includes a set of access rules related to content permissions associated with the media player, and

(3) the host rule base that is stored on the host and that includes a set of access rules related to content permissions associated with the host.

Hirota does not teach the above features. Ginter also does not teach or suggest the above features and, notably, is not relied upon by the Office Action for the showing of the medium rule base, the media player rule base, and host rule base.

**b) Hirota and Ginter fail to teach or suggest identifying priorities for rule bases**

The Office Action acknowledges that Hirota does not teach or suggest prioritizing rule bases. *See* Office Action, page 12. For this feature, the Office Action relies on Ginter, which discloses prioritizing rule bases in order to comply with laws. *Id.* at 12.

Applicants respectfully disagree. Ginter does not disclose "identifying priorities for rule bases at the media player, wherein priorities determine the order in which rule bases are accessed," as recited in claim 1. Rather, Ginter teaches using controls that "satisfy priorities stipulated by each set" of negotiation trade-offs between proposed and receives sets of controls. *See* Ginter, Col. 30:31-35. As such, Ginter appears to use "priorities" to describe the primary requirements of negotiation trade-offs, rather than "priorities" that determine the access order to controls. Therefore, Ginter fails to teach or suggest "identifying priorities for rule bases at the media player, wherein priorities determine the order in which rule bases are accessed," as recited in claim 1. Moreover, Ginter is entirely silent about using rule bases.

Finally, Ginter does not state that priorities are imposed to comply with the laws, as asserted in the Office Action. *See* Office Action, page 12. Rather, the controls themselves are imposed to comply with the laws, but the “priorities” discussed by Ginter relate to the primary requirements of negotiation trade-offs, rather than “priorities” that determine the access order to controls, as explained above.

For these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of amended independent claim 1 and its respective dependent claims.

Similarly, independent claim 33 recites an arrangement for regulating access to a content selection that is similar to that recited in amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 33 for the reasons discussed above with respect to amended independent claim 1.

New dependent claim 34 has been added. Claim 34 is believed to be allowable at least because it depends from allowable independent claim 1.

#### **Claims 9-14, 18, 19, 24-31**

Citing MPEP § 2106 Section II(C), the Office action states that claims 9-14, 18, 19, and 24-31 include optional limitations, and reads these limitations out of the claims. While the Applicant respectfully disagrees, the Applicant has amended claims 9 and 14 to recite features in a positive form to advance prosecution. Claims 20-32 have been cancelled.

Thus, the Applicant respectfully requests reconsideration of claims 9-14, 18, and 19, since as amended they do not contain optionally recited limitations, and therefore should be considered in their entirety for purposes of determining patentability.

#### **Conclusion**

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or

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Serial No. : 10/691,970  
Filed : October 24, 2003  
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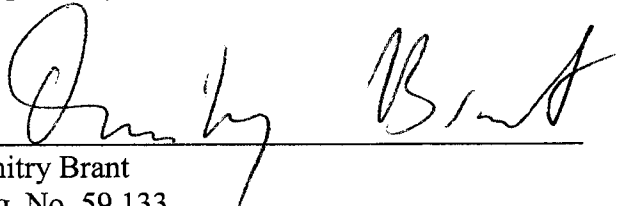
other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

No fees are believed due at this time. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

5/20/09

  
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